

PHILLIP MEYERS,)
)
Plaintiff,)
)
V.) Civil No. **07-651-JPG**
)
BOSTON SCIENTIFIC CORP.,)
)
Defendant.)

A review of the record reveals that Gateway Regional Medical Center and Raqif Ramadan, M.D., are listed in the caption of the case as “respondents in discovery,” as is appropriate in a state court proceeding. **(Doc. 2-2; see also 735 ILCS 5/2-402).** When this case was removed from state court to federal court, the Clerk of Court entered the case caption as it appeared on the complaint, including listing the “respondents in discovery.” Gateway Regional Medical Center and Raqif Ramadan, M.D., are clearly not defendants and their continued inclusion in the caption of the case is misleading, distracting and not in accordance with the Federal Rules of Civil Procedure. **See generally Fed.R.Civ.P. 10(a).** Therefore, in an effort to limit further confusion, the docket shall reflect that “respondents in discovery” Gateway Regional Medical Center and Raqif Ramadan, M.D., are not parties to this action in any sense. If in the future plaintiff wants to assert claims against Gateway Regional Medical Center and Raqif Ramadan, M.D., he must file an amended complaint. Similarly, if defendant Boston Scientific Corporation wants to file any sort of claim or to otherwise join Gateway Regional Medical

Center and Raqif Ramadon, M.D., the appropriate pleading must be filed.

IT IS THEREFORE ORDERED that the Clerk of Court shall have the docket reflect that “respondents in discovery” Gateway Regional Medical Center and Raqif Ramadon, M.D., are not parties to this action and are terminated in all respects.

IT IS SO ORDERED.

DATED: March 21, 2008

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE